



## Application for Change/Transfer of Water Right

For Ecology Use  
(Date Stamp)



For filing with the Department of Ecology or with County Conservancy Boards

**A NON-REFUNDABLE MINIMUM FEE OF \$50.00 MUST ACCOMPANY THIS APPLICATION  
IF FILED WITH THE DEPARTMENT OF ECOLOGY**

(Check all that apply.)

- ☐ Change purpose(s) of use  
☐ Add purpose(s) of use  
☐ Change point(s) of diversion/withdrawal  
☐ Add point(s) of diversion/withdrawal  
☒ Change/transfer place of use  
☐ Other (i.e. consolidation, intertie, trust water)

Explain: \_\_\_\_\_

**\*\*IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL  
SHEETS (PLEASE PRINT OR TYPE CLEARLY)\*\***

FOR OFFICIAL USE ONLY	
DATE APPLICATION RECEIVED	11-07-2013
CHECK NO.	6 FEE \$ 8
DATE ACCEPTED	12-13-2013 BY [initials]
CHANGE NO.	C54-25639(J)C e1
COUNTY	BENTON WRIA 31
SPECIAL AREA	BENT-13-06
SEPA: <input type="checkbox"/> EXEMPT <input type="checkbox"/> NOT EXEMPT	
ECY CODING:	001-002-WR10285-000011
APP NO.	PERMIT NO.
CERT NO.	CERT OF CHG NO.

☐ I have participated in a pre-application conference with Ecology.

### 1. Applicant Information

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
Robert Brent Hartley/Brent Hartley Land, LLC	509-786-4030	509-786-4123
ADDRESS		
21301 E. Reese Rd.		
CITY	STATE	ZIP CODE
Prosser	WA	99350
EMAIL ADDRESS (IF AVAILABLE)		
N/A		

CONTACT (IF DIFFERENT FROM ABOVE)	PHONE NO.	FAX NO.
Travis Lorton	509-786-1013	509-786-1020
ADDRESS		
30103 W. Gwinn Rd.		
CITY	STATE	ZIP CODE
Prosser	WA	99350
EMAIL ADDRESS (IF AVAILABLE)		
travis@sunheavenfarms.com		

LEGAL LAND OWNER or PART OWNER OF PROPOSED PLACE OF USE	PHONE NO.	FAX NO.
See Attached		
ADDRESS		
CITY	STATE	ZIP CODE
EMAIL ADDRESS (IF AVAILABLE)		

### 2. Water Right Information

WATER RIGHT OR CLAIM NUMBER	RECORDED NAME(S)
S4-25639(J)C	R. Brent Hartley
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS: _____	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

C54-25639(J)C e1

BENT-13-06



### 3. Point(s) of Diversion/Withdrawal:

#### A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Columbia R.(John Day)		NW	NW	18	5N	26E	1-1856-000-0000-000	

#### B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
No change								

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: ☐ YES ☒ NO PROPOSED: ☐ YES ☒ NO - IF NO, PROVIDE OWNER(S) NAME: Sunheaven Farms, LLC

*Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.*

### 4. Purpose of Use:

#### A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of Row Crops	6.21CFS	1495.37	February 1 – November 15

#### B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
No change			

### 5. Place of Use:

#### A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
S1/2 Section 12, SE1/4 Section 11, NE1/4 Section 14, T7N, R26E, Benton County							
Parcels 1-1276-000-0000-000, 1-1176-100-0000-000, 1-1476-100-0002-000							
Irrigation of 378 acres							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO							
IF NO, PROVIDE OWNER(S) NAME: <u>James &amp; Susan Moon/J&amp;S Moon Farm Inc</u>							

#### B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							
Same as above, but with the following additions:							
S1/2 Section 8, T7N, R27E, Benton County.							
Parcel 1-0877-300-0001-000 owned by Brent Hartley Land, LLC							
W1/2 Section 9, T7N, R27E, Benton County.							
Parcel 1-0977-200-0000-000 owned by Desert Land, LLC							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO							
IF NO, PROVIDE OWNER(S) NAME: <u>Brent Hartley Land, LLC/Desert Land, LLC</u>							

*Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.*

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO - IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): <u>Claim 065202 (attached)</u>	



**6. Remarks and Other Relevant Information:**

See Attached

IF FOR SEASONAL OR TEMPORARY, START DATE \_\_\_\_\_ END DATE \_\_\_\_\_

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request. For further information, contact: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477. Phone (360) 570-3265.

**7. Signatures:**

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I hereby grant staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in preparing this above application, I understand that all responsibility for the accuracy of the information rests with me.

Brent Hartley Land, LLC/R. Brent Hartley

Applicant Printed Name - Title

Robert Brent Hartley

Applicant Signature

7/12/13

(Date)

R. Brent Hartley

Water Right Holder Printed Name

R. Brent Hartley

Water Right Holder Signature

7/12/13

(Date)

James Moon/J&S Moon Farm, Inc.

Land Owner of Existing Place of Use Printed Name

James Moon

Land Owner of Existing Place of Use Signature

8/25/13

(Date)

Brent Hartley Land, LLC/R. Brent Hartley

Land Owner of Proposed Place of Use Printed Name

Robert Brent Hartley

Land Owner of Proposed Place of Use Signature

7/17/13

(Date)

Please check the region in which the project is located:

<b>*Submit your application to:</b>  DEPARTMENT OF ECOLOGY CASHIERING SECTION PO BOX 47611 OLYMPIA, WA 98504-7611	<input checked="" type="checkbox"/> Central Regional Office 15 W Yakima Avenue, Suite 200 Yakima, WA 98902 (509) 575-2490	<input type="checkbox"/> Eastern Regional Office 4601 N. Monroe Street Spokane, WA 99205-1295 (509) 329-3400
	<input type="checkbox"/> Northwest Regional Office 3190 - 160 <sup>th</sup> Avenue SE Bellevue, WA 98008-5452 (425) 649-7000	<input type="checkbox"/> Southwest Regional Office PO Box 47775 Olympia, WA 98504-7775 (360) 407-6300

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

- ☐ APPLICATION FEE NOT ENCLOSED      ☐ MAP NOT INCLUDED or INCOMPLETE  
☐ ADDITIONAL SIGNATURES REQUIRED      ☐ SECTION \_\_\_\_\_ IS INCOMPLETE  
☐ OTHER/EXPLANATION: \_\_\_\_\_

STAFF: \_\_\_\_\_ DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_



**ATTACHMENT FOR  
Application for Change/Transfer of Water Right**

**Point(s) of Diversion/Withdrawal - ☐ Existing ☐ Proposed:**

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #

DO YOU OWN THE ABOVE POINT(S) OF DIVERSION/WITHDRAWAL? ☐ YES ☐ NO

IF NO, PROVIDE OWNER(S) NAME: \_\_\_\_\_

**Purpose(s) of Use - ☐ Existing ☐ Proposed:**

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE

**Place of Use - ☐ Existing ☐ Proposed:**

LEGAL DESCRIPTION OF LANDS							

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES

DO YOU OWN ALL THE LANDS IN ABOVE PLACE OF USE? ☐ YES ☐ NO

IF NO, PROVIDE OWNER(S) NAME: \_\_\_\_\_



ATTACHMENT FOR  
Application for Change/Transfer of Water Right

**Signatures:**

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I hereby grant staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

Desert Land, LLC

- ☐ Applicant Printed Name – Title  
☐ Water Right Holder Printed Name  
☐ Land Owner of Existing Place of Use Printed Name  
☒ Land Owner of Proposed Place of Use Printed Name

Carl Thomas Moore

Applicant Signature  
Water Right Holder Signature  
Land Owner of Existing Place of Use Signature  
Land Owner of Proposed Place of Use Signature

9 / 13 / 13  
(Date)

- ☐ Applicant Printed Name – Title  
☐ Water Right Holder Printed Name  
☐ Land Owner of Existing Place of Use Printed Name  
☐ Land Owner of Proposed Place of Use Printed Name

Applicant Signature  
Water Right Holder Signature  
Land Owner of Existing Place of Use Signature  
Land Owner of Proposed Place of Use Signature

  /  /    
(Date)

- ☐ Applicant Printed Name – Title  
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☐ Land Owner of Proposed Place of Use Printed Name

Applicant Signature  
Water Right Holder Signature  
Land Owner of Existing Place of Use Signature  
Land Owner of Proposed Place of Use Signature

  /  /    
(Date)

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☐ Land Owner of Proposed Place of Use Printed Name

Applicant Signature  
Water Right Holder Signature  
Land Owner of Existing Place of Use Signature  
Land Owner of Proposed Place of Use Signature

  /  /    
(Date)

- ☐ Applicant Printed Name – Title  
☐ Water Right Holder Printed Name  
☐ Land Owner of Existing Place of Use Printed Name  
☐ Land Owner of Proposed Place of Use Printed Name

Applicant Signature  
Water Right Holder Signature  
Land Owner of Existing Place of Use Signature  
Land Owner of Proposed Place of Use Signature

  /  /    
(Date)

- ☐ Applicant Printed Name – Title  
☐ Water Right Holder Printed Name  
☐ Land Owner of Existing Place of Use Printed Name  
☐ Land Owner of Proposed Place of Use Printed Name

Applicant Signature  
Water Right Holder Signature  
Land Owner of Existing Place of Use Signature  
Land Owner of Proposed Place of Use Signature

  /  /    
(Date)

- ☐ Applicant Printed Name – Title  
☐ Water Right Holder Printed Name  
☐ Land Owner of Existing Place of Use Printed Name  
☐ Land Owner of Proposed Place of Use Printed Name

Applicant Signature  
Water Right Holder Signature  
Land Owner of Existing Place of Use Signature  
Land Owner of Proposed Place of Use Signature

  /  /    
(Date)



Attachment 5. Applicant Information:

LEGAL LAND OWNER or PART OWNER OF PROPOSED PLACE OF USE Brent Hartley Land, LLC	PHONE NO. 509-786-4030	FAX NO. 509-786-4123
ADDRESS 21301 E. Reese Rd.		
CITY Prosser	STATE WA	ZIP CODE 99350
EMAIL ADDRESS (IF AVAILABLE) N/A		

LEGAL LAND OWNER or PART OWNER OF PROPOSED PLACE OF USE Desert Land, LLC	PHONE NO.	FAX NO.
ADDRESS 901 Parkside Dr.		
CITY Prosser	STATE WA	ZIP CODE 99350
EMAIL ADDRESS (IF AVAILABLE) N/A		

Attachment 6. Remarks and Other Relevant Information:

This water right is for 378 acres. 126 of those acres have been used in the existing place of use on a rotational basis. The rotation is between circles BH-15A, BH-15B, BH-15C, and BH-15D, shown on the attached map (see Attachment 5. Place of Use). No more than one of the 4 circles is used in a year.

The additional 252 acres of the water right is seasonally transferred to the proposed place of use. The seasonal use is on BH-16A (126 acres) and on a rotational basis to one of BH-22A, BH-22B, and BH-22C (126 acres each). Only one of the BH-22 series is used in a year.

This application is a request for a permanent addition of the proposed place of use to include BH-16A, BH-22A, BH-22B, and BH-22C, defined above. The Department of Ecology already approved a seasonal water transfer of 252 acres from the existing place of use to the proposed place of use for the time period of February 1, 2013 until November 15, 2013 (attached).